

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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HAASHIM ANDREWS,

Plaintiff,

-against-

THE CITY OF NEW YORK, POLICE OFFICER
JONATHAN MARTINEZ, Tax # 953059, SERGEANT
TAEJIN LIM, Tax # 928647, LIEUTENANT JAMES
GEBBIA, Tax # 934915, SERGEANT JOSEPH
EDMUND, Shield # 1004, POLICE OFFICER JAMES
MCSHERRY, Shield # 27896, POLICE OFFICER
JOSEPH SFERRAZZA, Shield # 19468, POLICE
OFFICER KRISTIN COSCIA, Shield # 29268, POLICE
OFFICER CARLOS PONCE, Shield # 19531, POLICE
OFFICER RAYMOND HERNANDEZ, Shield # 1074,
POLICE OFFICER JOEL RODRIGUEZ, Shield #
16835, POLICE OFFICER ALAN YE, Shield # 1313,

Defendants.

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Defendants City of New York, Taejin Lim, James Gebbia, Joseph Edmund, James
McSherry, Joseph Sferrazza, Kristin Coscia, Carlos Ponce, Raymond Hernandez, Joel Rodriguez
and Alan Ye having offered Plaintiff Haashim Andrews to take a judgment against the City of
New York in this action for the total sum of Fifteen Thousand and One (\$15,001.00) Dollars,
plus reasonable attorneys' fees, expenses and costs to the date of this offer for Plaintiff Haashim
Andrews' federal claims and Plaintiff Haasim Andrews having accepted said offer; it is

ORDERED and ADJUDGED that judgment is hereby entered pursuant to Rule 68
of the Federal Rules of Civil Procedure in favor of Plaintiff Haashim Andrews and against the
City of New York in the total sum of Fifteen Thousand and One (\$15,001.00) Dollars, plus
reasonable attorneys' fees, expenses and costs.

JUDGMENT
14-CV- 4845 (JBW)

JUDGMENT 14-CV-4845 (JBW)

In accordance with the offer of judgment, this judgment is in full satisfaction of all federal and state law claims or rights that Plaintiff may have to damages, or any other form of relief, arising out of the alleged acts or omissions of Defendants City of New York, Taejin Lim, James Gebbia, Joseph Edmund, James McSherry, Joseph Sferrazza, Kristin Coscia, Carlos Ponce, Raymond Hernandez, Joel Rodriguez, and Alan Ye, or any official, employee, or agent, either past or present, of the City of New York; with the exception of Jonathan Martinez, or any agency thereof, in connection with the facts and circumstances that are the subject of this action; this judgment is made for the purposes specified in Rule 68 of the Federal Rules of Civil Procedure and is not to be construed as an admission of liability by Defendants City of New York, Taejin Lim, James Gebbia, Joseph Edmund, James McSherry, Joseph Sferrazza, Kristin Coscia, Carlos Ponce, Raymond Hernandez, Joel Rodriguez and Alan Ye, or any official, employee, or agent of the City of New York, with the exception of Jonathan Martinez, or any agency thereof; nor is it an admission that Plaintiff has suffered any damages; this offer will act to release and discharge Defendants City of New York, Taejin, James Gebbia, Joseph Edmund, James McSherry, Joseph Sferrazza, Kristin Coscia, Carlos Ponce, Raymond Hernandez, Joel Rodriguez and Alan Ye, their successors or assigns; and all past and present officials, employees, representatives and agents of the City of New York, with the exception of Jonathan Martinez, or any agency thereof, from any and all claims that were or could have been alleged by Plaintiff arising out of the facts and circumstances that are the subject of this action; Plaintiff Haashim Andrews waive rights to any claim for interest on the amount of the judgment and agrees that payment of Fifteen Thousand and One (\$15,001.00) Dollars within ninety (90) days of the date of

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acceptance of this offer shall be a reasonable time for such payment, unless Plaintiff received medical treatment in connection with the underlying claims in this case for which Medicare has provided, or will provide, payment in full or in part; if Plaintiff Haashim Andrews is a Medicare recipient who received medical treatment in connection with the claims in this case, the ninety (90) day period for payment shall start to run from the date Plaintiff submits to Counsel for Defendants a final demand letter from Medicare; Plaintiff Haashim Andrews agrees to resolve any claim that Medicare may have for reimbursement of conditional payments it has made as secondary payer and a Medicare Set-Aside Trust shall be created, if required by 42 U.S.C. § 1395y(b), and 42 C.F.R. §§ 411.22 through 411.26 and Plaintiff Haashim Andrews further agrees to hold harmless Defendants City of New York, Taejin Lim, James Gebbia, Joseph Edmund, James McSherry, Joseph Sferrazza, Kristin Coscia, Carlos Ponce, Raymond Hernandez, Joel Rodriguez and Alan Ye, and all past and present officials, employees, representatives and agents of the City of New York, with the exception of Jonathan Martinez, or any agency thereof, regarding any past and/or future Medicare payments, presently known or unknown made in connection with this matter.

Dated: Brooklyn, New York
May 12, 2015

Douglas C. Palmer
Clerk of Court

by: /s/ Janet Hamilton
Deputy Clerk